

REMARKS

Applicant submits this Response in response to the Office Action mailed January 19, 2005, and in conjunction with the Request for Continued Examination under 37 C.F.R. § 1.114 filed herewith. Applicant has amended claims 1, 3, 6-8, 10-13 and 17, canceled claims 18-22 (without prejudice to representing these claims at a later time), and added new claims 23-27. Claims 1-17 and 23-27 are currently pending. No new matter has been added.

In the Office Action of January 19, 2005, the Examiner rejected claims 1-5 and 8-22 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,742,412 to Srinivasan ("Srinivasan"); and rejected claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over Srinivasan in view of U.S. Publication No. US 2002/0044658 A1 to Crabtree et al. ("Crabtree"). Applicant traverses these rejections, as set forth below.¹

Srinivasan discloses a method and system for displaying a caller's "Internet information" on the customer premises equipment of a callee telephony service subscriber. (Srinivasan, Abstract.) When a caller makes a call, the central office of the callee determines whether the callee subscribes to the service for receiving caller Internet identification. (Id., Fig. 2A, step 204). If the callee is a subscriber, then the terminating central office requests caller ID and Internet ID information of the caller from databases using the caller's phone number (id., col. 7, ll. 30-41), and sends a message object containing any Internet ID and caller ID found corresponding to the caller to the callee CPE. (Id., col. 7, ll. 41-50; Fig. 2B, steps 232 and 236). If the call is not completed, then the caller's Internet information is accessible at a later time to the subscriber/callee. (Id., Abstract). The subscriber/callee can call a predetermined number, provide a user ID and password as identification information, and then be provided with a message containing any caller-ID or Internet ID information for the prior caller, as well as a voice mail message. (Col. 8, ll. 1-65; Fig. 3 & 4.)

¹ As Applicant's remarks with respect to the rejections made by the Examiner are sufficient to overcome these rejections, Applicant's silence as to certain other requirements applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references) is not a concession by Applicant that such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.

In contrast to *Srinivasan*, claim 1 recites a method that includes:

- storing information associated with subscribers and usable to determine contexts associated with an information request;
- receiving from a requester an information request including identifying information associated with the requester;
- comparing the requester identifying information to the information associated with subscribers to determine whether the requester is one of the subscribers for which information has been stored;
- determining a context for the information request when it is determined that the requester is one of the subscribers for which information has been stored, wherein the context is determined based at least in part on the information associated with subscribers, including at least one of incoming calls to the requester and outgoing calls by the requester; and
- providing the requester with a response to the information request, the response selected from stored contact information based on a condition associated with the determined context for the request.

Srinivasan does not teach or suggest the method recited in claim 1. For example, *Srinivasan* provides no description of “storing information associated with subscribers and usable to determine contexts associated with an information request,” “determining a context for the information request when it is determined that the requester is one of the subscribers for which information has been stored, wherein the context is determined based at least in part on the information associated with subscribers, including at least one of incoming calls to the requester and outgoing calls by the requester” and “providing the requester with a response to the information request, the response selected from the stored contact information based on a condition associated with the determined context for the request” as recited in claim 1. While the system described in *Srinivasan* stores caller ID, Internet ID and voice mail information associated with callers when the callee does not answer the call (see, e.g., *id.*, col. 2, lines 18-21; col. 7, lines 62-67; col. 8, lines 19-28), *Srinivasan* only describes the callees as the subscribers. (*Id.*, col. 1, lines 35-39; col. 8, lines 3-6; Fig. 2B step 248; Fig. 3.) With respect to requests by callees, *Srinivasan* merely describes using a callee’s user ID and password to determine whether the callee is a subscriber (col. 6, lines 33-37; Fig. 2A, step 204), and to authenticate the callee (col. 8, lines 19-30; Fig. 3, step 312). The system described by *Srinivasan* does not then teach the use of information associated with a subscriber – much less any incoming calls to the requester or outgoing calls from the requester – to determine the context associated with the

information request, and to then provide the requester with a response to the information request where the response is selected from stored contact information based on a condition associated with the determined context, as recited in claim 1.

The Examiner argues in the Office Action that “Srinivasan’s teachings of an element determining that callees subscribes for Internet identification, illustrates an information request determining a context for the information request in a manner similar to applicant’s claim language. Both have a determining element, applicant’s determining element includes a context whereas Srinivasan’s teaches determining whether an internet identification is appropriate or not.” (Office Action, ¶ 7, p. 5.) Applicant is unclear from the Examiner’s statements which description in Srinivasan the Examiner is asserting reads on the recited claim elements. Applicant’s review of the Examiner’s citations to Srinivasan with respect to the elements of claim 1 does not clarify the Examiner’s position. (Office Action, ¶ 3, p. 2.) For example, it is unclear to Applicant which description in Srinivasan the Examiner asserts teaches “receiving an information request” as recited in claim 1 – the portion of Srinivasan cited by the Examiner merely describes assembling of a message to be sent to a callee that includes the caller Internet ID, caller ID and caller voice mail, and determining whether this message should be a voice message, a text message or a combination of voice and text. (Srinivasan, col. 8, lines 41-65.) Likewise, Applicant is unclear which description the Examiner is relying upon in Srinivasan to show a “context for the information request” or a response “selected from stored contact information based on a condition associated with the determined context for the request” – the cited portions of Srinivasan describe that the callee is provided with caller Internet ID, caller ID and caller voice mail information, in a format (text, voice or both) designated by the callee, and that the callee may retrieve this information by calling a predetermined number and providing a PIN number or code. If the Examiner intends to reassert the rejection to claim 1 based on Srinivasan, Applicant respectfully requests additional detail from the Examiner in identifying the portions of Srinivasan that the Examiner asserts read on the particular elements of claim 1, so that Applicant can further evaluate the merit of these assertions. Applicant’s undersigned representative is available to discuss these assertions telephonically if this is more convenient for the Examiner.

Based on the foregoing, Applicant believes claim 1 to be patentable over Srinivasan, and thus respectfully requests that the Examiner withdraw the rejection of claim 1. As claims 2-5 depend from claim 1, and therefore include all of the limitations recited in claim 1, Applicant believes claims 2-5 to be patentable over Srinivasan for at least the same reasons as claim 1, and therefore respectfully requests that the Examiner withdraw the rejections of claims 2-5 as well.²

Claim 13 recites a system that includes various means for performing the method recited in claim 1. Applicant believes claim 13 to be patentable over Srinivasan for at least the same reasons as claim 1, and therefore respectfully requests that the Examiner withdraw the rejection of claim 13. As claims 14-17 depend from claim 13, and therefore include all of the limitations recited in claim 13, Applicant believes claims 14-17 to be patentable over Srinivasan for at least the same reasons as claim 13, and therefore respectfully requests that the Examiner withdraw the rejections of claims 14-17 as well.

Claim 8 recites an apparatus that includes

- a first storage system for storing information associated with subscribers and usable to determine contexts associated with an information request;
- a second storage system for storing contact information;
- a receiver for receiving from a requester the information request including identifying information associated with the requester;
- a processor for comparing the requester identifying information to the information associated with subscribers to determine whether the requester is one of the subscribers for which information has been stored, and for determining a context for the request when it is determined that the requester is one of the subscribers for which information has been stored, wherein the context is determined based at least in part on the information associated with subscribers, including at least one of incoming calls to the requester and outgoing calls by the requester; and
- a transmitter for providing the requester with a response to the information request, the response selected from the stored contact information based on a condition associated with the determined context for the request.

Srinivasan does not teach or suggest the apparatus recited in claim 8. For example, Srinivasan provides no description of “a first system for storing information associated with subscribers and

² As Applicant's remarks with respect to the base independent claims are sufficient to overcome the Examiner's rejections of all claims dependent therefrom, Applicant's silence as to the Examiner's assertions with respect to dependent claims is not a concession by Applicant to the Examiner's assertions as to these claims, and Applicant reserves the right to analyze and dispute such assertions in the future.

usable to determine contexts associated with an information request,” “a processor for . . . determining a context for the request when it is determined that the requester is one of the subscribers for which information has been stored, wherein the context is determined based at least in part on the information associated with subscribers, including at least one of incoming calls to the requester and outgoing calls by the requester” and “a transmitter for providing the requester with a response to the information request, the response selected from the stored contact information based on a condition associated with the determined context for the request” as recited in claim 8. As Applicant has noted with respect to claim 1, while the system described in Srinivasan includes facilities to store caller ID, Internet ID and voice mail information associated with callers when the callee does not answer the call (see, e.g., id., col. 2, lines 18-21; col. 7, lines 62-67; col. 8, lines 19-28), Srinivasan only describes the callees as the subscribers and information requesters. (Id., col. 1, lines 35-39; col. 8, lines 3-6; Fig. 2B step 248; Fig. 3.) Srinivasan merely describes elements that use a callee’s user ID and password to determine whether the callees are subscribers (col. 6, lines 33-37; Fig. 2A, step 204), and to authenticate the callees (col. 8, lines 19-30; Fig. 3, step 312). The system described by Srinivasan does not then teach a processor that uses information associated with a subscriber – much less any incoming calls to the requester or outgoing calls from the requester – to determine the context associated with the information request, and a transmitter that provides the requester with a response to the information request where the response is selected from stored contact information based on a condition associated with the determined context, as recited in claim 8.

Based on the foregoing, Applicant believes claim 8 to be patentable over Srinivasan, and thus respectfully requests that the Examiner withdraw the rejection of claim 8. As claims 9-12 depend from claim 8, and therefore include all of the limitations recited in claim 8, Applicant believes claims 9-12 to be patentable over Srinivasan for at least the same reasons as claim 8, and therefore respectfully requests that the Examiner withdraw the rejections of claims 9-12 as well.

Claim 6 recites a method that includes:

receiving a query request to find information for the destination from a user;

determining a context for the query request using previously stored information associated with the user, including at least one of incoming calls to the user and outgoing calls to the user;
obtaining information in the directory related to the destination based on the query request and the context of the query request; and
providing the obtained information regarding the destination to the user, wherein the context for the query request corresponds to a geographic location of the user.

Neither Srinivasan nor Crabtree teach or suggest the method recited in claim 6. For example, neither Srinivasan nor Crabtree describe “determining a context for the query request using previously stored information associated with the user, including at least one of incoming calls to the user and outgoing calls to the user.” The absence of at least this element of claim 6 from both Srinivasan and Crabtree precludes any finding of obviousness of claim 6 based on Srinivasan and/or Crabtree. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 6. As claim 7 depends from claim 6, and therefore includes all of the limitations of claim 6, Applicant believes claim 7 to be patentable over Srinivasan and/or Crabtree for at least the same reasons as claim 6, and therefore respectfully requests that the Examiner withdraw the rejection of claim 7 as well.

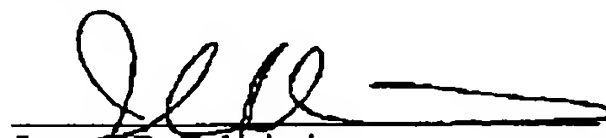
Applicant has added new claims 23-27. Claim 23 is dependent from claim 1, and Applicant therefore believes claim 23 to be patentable for at least the reasons set forth for claim 1. Claims 24-27 recite methods Applicant believes are not taught or suggested by the cited art, and therefore respectfully requests the allowance of claims 24-27.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for allowance. Reconsideration and allowance are respectfully requested. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned representative by phone at the number indicated below to discuss such issues To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account number 07-2347. With respect to this application, please charge any other necessary fees and credit any overpayment to that account.

Respectfully submitted,

April 20, 2005


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